

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Action No. 12-11202-DJC

DEREK CARROCA,))
)
Plaintiff,))
)
v.)	
)
ALL STAR ENTERPRISES AND)	
COLLISION CENTER, INC. and)	
ROBERT CUCURULL,)	
)
Defendants.))
)

**DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO AMEND
JUDGMENT**

Now comes the Defendant Robert Cucurull and states his opposition to Plaintiff's Opposition To Amend Judgment.

The Plaintiff has recently filed a Motion to amend the judgment to include "R.H.C. Realty Trust" a Maine realty trust as a defendant in the case. This litigation involved claims that the Defendants violated statutory provisions relative to overtime payments to the Plaintiff. The Plaintiff was never employed by R.H.C. Realty Trust and never had an interaction or dealings with said Defendant. There is no legal basis to support this motion and none is advanced by the Plaintiff in his motion.

For the reasons set forth herein this Honorable Court must enter an order denying this motion.

ALLSTAR ENTERPRISES,
and COLLISION CENTER, INC.,
and ROBERT CUCURULL,
by their attorney,

/s/ Donald L. Conn, Jr.

Donald L. Conn, Jr., BBO#543679
Smercynski & Conn
34 Main Street
Peabody, MA 01960
(978) 531-1710

DATED: March 12, 2014

CERTIFICATE OF SERVICE

I, Donald L. Conn, Jr., hereby certify, that on this 12th day of March, 2014, I served a copy of the Defendants' Opposition To Plaintiff's Motion To Amend Judgment, to be sent by email to the registered participants in this case, if any, as identified on the Notice of Electronic Filing (NEF).

/s/ Donald L. Conn, Jr.

Donald L. Conn, Jr.
BBO# 543679
Smercynski & Conn, P.C.
34 Main Street
Peabody, MA 01960
(978) 531-1710
don@scpclaw.com